

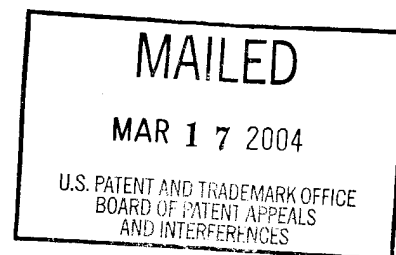
The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board

UNITED STATES PATENT AND TRADEMARK OFFICE

**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Ex parte YADONG HUANG,
ROBERT W. MAHLEY, and
JOHN M. TAYLOR

Application No. 09/544,910



ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences on February 9, 2004. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

We are unable to locate a complete copy of the Ditschuneit¹ and Connor² references relied upon by the Examiner on page 5 of the Examiner's Answer dated August 12, 2003.

¹ Ditschuneit et al., Journal of International Medical Research, Vol. 20, No. 3, pp. 197-210 (June 1992)

² Connor et al., Annals of the New York Academy of Sciences, Vol. 683, pp. 16-34 (June 14, 1993)


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Accordingly, it is

ORDERED that the application is returned to the Examiner to locate the missing references (Ditschuneit and Connor) and have complete copies scanned into the IFW file, and for such further action as may be appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS
AND INTERFERENCES



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Application No. 09/544,910

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